

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Treasuries and Accounts Department – Sri P.Anjaneyulu STO (Retd.) Headquarters Sub-Treasury, Mahabubnagar – Departmental Proceedings initiated against Sri P.Anjaneyulu, Sub-Treasury Treasury Officer (Retd.) for certain defects noticed during the verification of the pensions at the Headquarters Sub-Treasury, Mahabubnagar - Imposition of a punishment of withholding of 10% of his pension for a period of two years under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

FINANCE (ADMN.I.VIG.) DEPARTMENT

G.O.Rt.No. 575

Dated: 15-02-2010.

Read the following:

1. DTA's Lr.No.KII (7)/3377/2003, dated: 25.5.2004 and 15-7-2004.
2. G.O.Ms.No.529, Finance (Admn.I.Vig) Department, dt.23-06-2004.
3. G.O.Rt.No.1812, Finance (Admn.I.Vig) Department, dt.23-06-2004.
4. DTA Lr.No.KII (7)/3377/2003, dt.08-06-2005 along with the defence statement of Sri P.Anjaneyulu, STO (Retd.) dt.01-09-2004.
5. G.O.Rt.No.3759, Finance (Admn.I.Vig) Department, dt.21-10-2005.
6. DTA Lr.No. K II (7)/3377/2003, dt.20-10-2006 along with Inquiry Report of Smt. B.Vijaya Lakshmi, Dy. Director.
7. Govt. Memo.No.13205/211/Admn.I.Vig/A2/2004, dt. 18-11-2006.
8. DTA Lr.No. KII (7)/3377/2003, dt.30-3-2007 along with explanation of Sri P.Anjaneyulu, Sub Treasury Officer (Retd.), dt. 11-1-2007
9. Govt. Memo.No.13205/211/Admn.I.Vig/A2/2004, dt. 01-08-2008.
10. DTA Lr. No. KII (7)/3377/03, dt. 08-12-2008 along with explanation of Sri P.Anjaneyulu, Sub Treasury Officer (Retd.), dt.25-10-2008.
11. Govt. Memo.No.13205/211/Admn.I.Vig/A2/2004, dt. 21-8-2009.
12. DTA Lr. No. KII (7)/3377/2003, dt.09-11-2009 along with Proforma particulars.
13. Govt. Lr. No. 13205/211/Admn.I.Vig/A2/2004, dt. 01-12-2009 addressed to Secretary, APPSC, Hyderabad.
14. Secretary, APPSC Lr.No.1475/RT-I/1/2009, dt. 08-1-2010.

ORDER:

The Director of Treasuries and Accounts, in the reference 1st read above, has reported that during the course of verification of Pensions at Headquarters Sub-Treasury, Mahabubnagar by the Deputy Director, District Treasury, Mahabubnagar certain defects and lapses were noticed. The following are the main lapses.

1. Sri Md. Moinuddin, Attender, Sub-Treasury, Mahabubnagar has created fake PPO No.11-S-001483 in the computers and drawn an amount of Rs.30,504/- during the period from 1/2003 to 6/2003 @ Rs.5,084/- per month. However the entire amount has been remitted by the individual into Government account vide Challan No.84, dt.6-8-2003.
2. Sri S.Srinivasulu, Typist, District Treasury, Mahabubnagar has created fake PPO NO.11-S-5282 in the computer of headquarters of Sub-Treasury, Mahabubnagar and drawn an amount of Rs.18,370/- during the period from 4/2003 to 6/2003 @ Rs.6182/-, Rs.6094/-, and Rs.6094/- respectively. However, the entire amount has been remitted by the individual into Government account vide Challan NO.56, dt.5-8-2003.
3. Sri Md.Moulana, Retired Attender of Government Polytechnic, Mahabubnagar, who is drawing original pension from Andhra Bank, Mahabubnagar vide PPO NO. LF/MBNR/SI-1002597 has been allowed to draw pension of Rs.1752/- by creating fake PPO No.LF/MBNR/RGB/S001147 through State Bank of Hyderabad main branch, Mahabubnagar during the month of 5/2003. However,

the same has been remitted into Government account by Sri Md.Moulana vide Challan No.60, dt. 6-10-2003.

4. Smt. Mahamuda Bee, W/o Sri Md.Moinuddin, Attender, Headquarters Sub-Treasury, Mahabubnagar has been allowed to draw the pension of Rs.2,15,137/- from 10/94 to 6/2004 through Andhra Bank, Mahabubnagar against the name of Late Smt. Jahangeer Bee holder of PPO NO.11-F-000014, who expired on 25-10-2004.
2. The Director of Treasuries and Accounts has further reported that the following treasury employees who worked at Headquarters Sub-Treasury, Mahabubnagar were allegedly responsible for the lapses during their tenure.
 1. Sri Syed Mozzam Hussain, ATO
 2. Sri P.Prabhudas, ATO (Retd.)
 3. Sri P.Anjaneyulu, STO (Retd.)
 4. Sri K.Brahmanandam, STO
 5. Sri C.Basavalingam, Senior Accountant
 6. Sri G.Satyanarayana Goud, Senior Accountant
 7. Sri S.Srinivasulu, Typist
 8. Sri Mohd. Moinuddin, Attender
 9. Sri S.Hari Prasad, Shroff
 10. Sri Sajid Ali, Shroff
3. The Director of Treasuries and Accounts, while forwarding the cases of Sri P.Prabhudas, ATO (Retd.) and Sri P.Anjaneyulu, STO (Retd.) for initiating departmental proceedings against them under Rule 9 of A.P. Revised Pension Rules, 1980 informed that he has initiated Departmental proceedings against Sri Mozzam Hussain, ATO and Sri K.Brahmanandam, STO and the Deputy Director has initiated Departmental proceedings against Senior Accountants and below categories as per their competence in accordance under Rule 20 of A.P.C.S. (CC&A) Rules, 1991.
4. Government, after careful examination of the report of the Director of Treasuries and Accounts and other relevant material on record initiated Departmental Proceedings against Sri P.Anjaneyulu, Sub Treasury Officer (Retd.) under Rule 9 of A.P. Revised Pension Rules, 1980, vide G.O.2nd and 3rd read above.
5. The following article of charge was framed against Sri P.Anjaneyulu, Sub Treasury Officer (Retd.):

That the said Sri P.Anjaneyulu, Retd Sub-.Treasury Officer while working as STO, O/o Hqrs. Sub-Treasury, Mahabubnagar during the period from 10/94 to 31-10-2002 has failed to verify the Pension Lists with reference to the Disbursers portion of PPOs every month as required in Rules.

Further, Family Pension of Rs.1,69,858/- has been paid to the bogus Pensioner i.e., Smt.Mahmuda Bee W/o Sri Md.Moinuddin, Attender, Hqrs. Sub-Treasury, Mahabubnagar against the pension of late Smt.Jahangeer Bee, holder of PPO No. 11-F-000014. Thus, he failed to follow the procedure prescribed in A.P. Treasury code and the instructions issued thereon from time to time in making pension disbursements, and thereby given scope for drawals of fake pensions and was responsible for a loss of Rs.1,69,858/- to the exchequer.

Thus Sri P.Anjaneyulu, Retd Sub. Treasury Officer while working as Sub-Treasury Officer, O/o Hqrs. Sub-Treasury, Mahabubnagar by the above mentioned acts has exhibited lack of integrity devotion to duty and shown negligence in discharging his legitimate duties thereby exhibited conduct unbecoming of a Government servant and thereby contravened rule 3 of A.P. Civil Services (conduct) Rules, 1964.

6. The Director of Treasuries and Accounts, vide his letter 4th read above has furnished the written statement of defence of Sri P.Anjaneyulu, STO (Retd.). In his statement the Charged Officer has stated that there was no opportunity for him to see the life certificate of Smt. Mahmuda Bee as it would be furnished in the month of November only. He sent the list of the paying banks concerned as usual marking a copy to the DTO, Mahabubnagar to debit the expenditure to the relevant head of account. He has requested to drop the charges as he had retired on superannuation on 30-09-2000 AN.

7. Government, after careful consideration of the statement of defence of the charged officer, not satisfied with his explanation and felt it appropriate to conduct a regular enquiry into the charge framed against the Charged Officer along with other Charged Officers. Accordingly, Government appointed Smt. B.Vijaya Lakshmi, Dy. Director as Inquiry Officer and Sri Kamalakar Rao, ATO, District Treasury, Mahaboobnagar as Presenting Officer for conducting regular inquiry into the charge framed against Sri P.Anjaneyulu, STO (Retd.).

8. Smt. B.Vijaya Lakshmi, Deputy Director has conducted regular inquiry and submitted her report vide reference 6th read above. In the inquiry, the charge framed against Sri P.Anjaneyulu, Sub Treasury Officer (Retd.) was held proved.

9. The Inquiry Officer, in her findings stated that **on the basis of the charges presented by the disciplinary authority with evidences both recorded and oral as well as the defence of the charged officer and taking into account circumstantial evidence into account it is found that Sri Moinuddin, Attender has acted with malafied intentions. At present a police case filed against him is under trail. Regarding the contention of the Charged Officer that Sri Moinuddin, Attender has accepted that he is responsible for the misappropriation and has remitted back the amount. The findings of the Enquiry Officer is that out of the total amount of Rs.1,69,858/- no part of it has been remitted back and the total amount is outstanding till date. A Criminal case No.158/2003 is also pending against Smt. Mahmooda bee wife of Sri Moinuddin, Attender.**

The case against the charged officer can be divided into 2 periods wherein Pensions were paid at Sub-Treasury directly and through banks. The original pensioner died in 25-10-1994. But payments were continued to fake pensioner from 10/1994 and further through Bank from 11/99 to till 2003.

As stated in the basis of the charge as per Sub-Rule 64 of TR 16 and 65(a) wherein the disbursers half has to be verified and the pensioner positively identified it is found that the procedure has not been followed. The procedure of Annual Mustering and obtaining Life Certificate each year has also not been followed. There are entries of "Identified" on 1-4-1996 and 2-4-1997 in the PPO by the Sub Treasury Officer. In the year 2002 one life certificate has been obtained. For the rest of the years there is no evidence of procuring Life Certificates. The Sub Treasury Officer has also attested the Photo of Smt. Mahmooda bee W/o. Sri Moinuddin, Attender and introduced to the Bank for reopening of Bank Account.

In this case there is no creation of bogus PPO's. The case would not have come to light even if separate pension lists for new and old cases are prepared and submitted in time as the case involves continuation of pension suppressing the fact of the death of pensioner.

This is clear case of dereliction of duty in regard to the procedures of Pension Payment laid down in the rules and codes. If there was proper mustering and annual verification of pensioner the case would not have taken place. The Sub Treasury Officer in his oral deposition states that as the pensioner was a pardah nashi he was not able to identify properly. However the argument of the accused officer is not sound as the Photo of pensioner was available and identification marks stated. There are no grounds to hold that the pensioner was Pardha Nashi. Therefore, the identity of the pensioner should have been ascertained. While in Life

Certificate of 2002 there was the signature where as originally the pensioner had given only thumb impression in the A.B.C.D. Form. The argument that there was heavy work load and the Attender has managed to replace the original pensioner's photos with that of his wife is not correct as the custody of PPOs lies with Sub Treasury Officer. Hence the fault was entirely on the Sub Treasury Officer for facilitating the fraud by the Attender and leading to fraudulent drawal to the tune of Rs.1,69,858/- by way of suspense account Rs.(55,252/-) and Bank Account Rs.(114606/-). The Inquiry Officer holds the charge is proved against Sri P.Anjaneyulu, (Retd.) Sub Treasury Officer, Hqrs. Sub Treasury, Mahabubnagar.

10. Government, after careful examination of the Charge framed against Sri P.Anjaneyulu, Sub Treasury Officer (Retd.) and his Written Statement of Defence and the findings of the Enquiry Officer found that the Charge framed against him was held proved substantially and furnished a copy of the Enquiry report to the charged officer vide reference 7th read above.

11. Sri P.Anjaneyulu, Sub Treasury Officer (Retd.) in his explanation at reference 8th read above has stated that the findings of the enquiry officer are not correct on the following grounds and requested to drop further action against him.

1. The ST consists of nearly 5000 pensioner and that it would be humanly not possible to check every pension with reference to the photo available in the disbursers half usually the pensioners will attend the ST on 1st of every month numbering at least 3000 pensioner.
2. The accountant concerned will take the pensioners halves, process and put up with the identification marks etc., should be got verified before signing the bill presented by pensioners in APTC form 75.
3. All the precaution would be taken at the initial payment of pension to know whether the pensioner is genuine pension or not Sri Mohd Moinuddin, Attender of the ST played mischief due to his proximity with the Treasury personnel and some how substituted the photos of his wife Smt. Mahamooda Begum in place of Smt. Jahangeer Bee though she died on 28-10-1994.
4. Naturally, the Attender working in the ST would be having much access to the PPOs, as he is the person who would be placing the PPOs bundles in the strong room. Even the Life Certificate issued by a Gazetted Officer was furnished by Sri Mohd. Moinuddin, Attender along with the other cases in the month of November of every year.
5. He has also stated that the pensions were ordered to be paid through the banks in GO.Ms.No.213, Finance Department, dt 19-12-1997. It took some time for the implementation of the scheme and it was effectively implemented from 1-4-1999. In this process, the STO was required to introduce the pensioners to the Bank duly attesting the Photos and to open SB Account so that the pension would be credited to the SB Account of the pensioner. **When he was attesting the photos of the pensioners the Attender managed to put the photo before him along with the photos of others and he attested the photos of the wife of the Attender in a routine way without entertaining a doubt about its Bonafides.** At no stage, he could entertain doubt about the bonafide of the pensioner and he used to prepare the list and send to paying banks while sending a copy of it to the DTO, Mahabubnagar to append pass order on it and to send it to bank attending to Govt. Transactions. According to circular memo.No.M3/24567/78, dt. 6-6-1998 of the DTA broad sheets are required to be opened

in respect of pension in the DT and make entries in those sheets duly conducting 100% post audit of paid vouchers received from this ST had the Treasury made the entry in the broad sheet about the payment of life time arrears to the legal heirs of Smt. Jahangeer Bee, holder of PPO No. 11-F000014, on receipt of the vouchers from the ST, it should have been easily detected about the payment of pension being made in her name to Smt. Mahamooda Bee, W/o. Mohd Moinuddin Attender of their ST. The District Treasury, Mahaboobnagar would have returned the pension list sent by him in case he sent them by the end of the month instead of 15th march time was consumed to prepare the list owing to the presence of large number of pensioners. Sri Srinivasulu who worked as Shroff in their ST prior to his appointment by transfer as typist in the DT w.e.f. 4/2001 colluded with Sri Mohd Moinuddin, Attender, ST, Mahaboobnagar to defraud Govt. money attending to ST, Mahaboobnagar before or after the office hours.

12. Government, after careful examination of the explanation of the Charged Officer with reference to the findings of the Enquiry, found that Sri P.Anjaneyulu, STO (Retd.) did not followed procedure laid down under **Sub-Rule 64 of TR 16 and 65(a)** of A.P. Treasury Code **wherein the disbursers half has to be verified and the pensioner positively identified.** The procedure of Annual Mustering and obtaining Life Certificate each year was also not followed. **The Inquiry Officer categorically observed that there are entries of “Identified “on 1-4-1996 and 2-4-1997 in the PPO by the Sub Treasury Officer.** In the year 2002 one life certificate has been obtained. For the rest of the years there is no evidence of procuring Life Certificates. The Charged Officer, himself attested the Photo of Smt. Mahmooda bee W/o. Sri Moinuddin, Attender and introduced to the Bank for reopening of Bank Account. Therefore, Government came to a provisional conclusion for imposition of punishment of withholding of 10% of his pension for a period of two years on the Charged Officer, Sri P.Anjaneyulu, Sub Treasury Officer (Retd.), under Rule 9 of A.P. Revised Pension rules, 1980. Accordingly, a final show cause notice was issued to the Charged Officer, Sri P.Anjaneyulu, Sub Treasury Officer (Retd.) vide reference 9th read above.

13. The Charged Officer, Sri P.Anjaneyulu, Sub Treasury Officer (Retd.), in his explanation at reference 12th read above, did not put forth any fresh grounds for consideration. He reiterated his earlier explanation. He has requested to exonerate him from charges and stop further action against him.

14. Government, after careful examination of the Charge framed against the Charged Officer and his written statement of defence and explanations to the show-cause notices with reference to the findings of the Enquiry Officer in detail, observed that the Charged Officer, have worked for a long time in Headquarter Sub-Treasury, Mahabubnagar from 10/94 to 2002. **This is clear case of dereliction of duty in regard to the procedures of Pension Payment laid down in the rules and codes. If there was proper mustering and annual verification of pensioner the case would not have taken place.** The Inquiry Officer has clearly found that there are entries of “Identified “on 1-4-1996 and 2-4-1997 in the PPO by the Sub Treasury Officer. In the year 2002 one life certificate has been obtained. For the rest of the years there is no evidence of procuring Life Certificates. The Charged Officer, himself attested the Photo of Smt. Mahmooda bee W/o. Sri Moinuddin, Attender and introduced to the Bank for reopening of Bank Account. The Charge framed against him is held proved substantially. Therefore, Government came to a provisional conclusion for imposition of a punishment of withholding of 10% of his pension for a period of (2) years under Rule 9 of A.P. Revised Pension Rules, 1980 and referred the matter to the Andhra Pradesh Public Service Commission, Hyderabad for their concurrence vide letter 13th read above.

15. The Andhra Pradesh Public Service Commission, Hyderabad in their letter 14th read above, have concurred with the proposal of the Government for imposition of a punishment of withholding of 10% of pension for a period of (2) years on the Charged Officer, Sri P.Anjaneyulu, Sub Treasury Officer (Retd.).

16. Government, accordingly, hereby order for imposition of a punishment of withholding of 10% of pension for a period of (2) years on the Charged Officer, Sri P.Anjaneyulu, Sub Treasury Officer (Retd.) under Rule 9 of A.P. Revised Pension Rules, 1980.

17. The Director of Treasuries and Accounts, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**L.V.SUBRAHMANYAM
PRL.SECRETARY TO GOVERNMENT (FP)**

To

The individual through the Director of Treasuries & Accounts, A.P., Hyderabad.

The Director of Treasuries and Accounts, A.P., Hyderabad.

Copy to:

The Accountant General, A.P., Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission, A.P., Hyderabad

The Deputy Director, District Treasury, Mahabubnagar District.

// FORWARDED BY ORDER //

SECTION OFFICER